

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

490D0427

SENATE BILL NO. 151

Introduced by: Senators Duxbury, Albers, Brown (Arnold), and Lawler and Representatives
Burg, Brown (Jarvis), Fischer-Clemens, and Michels

1 FOR AN ACT ENTITLED, An Act to clarify what property a municipality may donate to a
2 nonprofit corporation and how that property may be used by the nonprofit corporation.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 34-9-11 be amended to read as follows:

5 34-9-11. In addition to other powers granted, ~~every~~ any municipality ~~shall have authority~~ may
6 by resolution ~~to~~ give to a nonprofit corporation, real and personal property owned by the
7 municipality and used by it in the operation of a ~~hospital~~, ~~provided such~~ health care facility as
8 defined in § 34-12-1.1 or a medical clinic. However, the transfer of property shall be accepted
9 by a majority vote of the directors of ~~such~~ the nonprofit corporation, and the property
10 transferred, or the proceeds from the sale thereof, ~~is to~~ shall be used by the nonprofit corporation
11 in the operation of a ~~hospital~~ health care facility as defined in § 34-12-1.1 or a medical clinic.